



9/015/044

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District

San Rafael Resource Area
900 North 700 East
Price, Utah 84501

TAKE
PRIDE IN
AMERICA

IN REPLY REFER TO:

3809
(UTU-69852)
(UT-067)

CERTIFIED MAIL--Return Receipt Requested
Certification No. 118 951 038

NOV 1 1993

NOTICE OF DECISION

Mr. Lee Sutherland
Sutherland Brothers
P.O. Box 218
Monticello, Utah 84535

We have determined that you are in noncompliance with 43 Code of Federal Regulations 3809.1-3 which requires submission of an amended notice whenever there are significant deviations from an accepted notice for exploration or mining activities. We have found some 52 drill holes in your mine operating area. We have also found a second access road to your mine site. This road forms a triangle with the existing road and State Highway 24. Neither of these aforementioned disturbances are included in your Notice of Intent to Mine as on file at the San Rafael Resource Area in Price, Utah.

You shall be required to submit an amended notice within 10 days from the date of this decision letter. The amendment shall include all new and proposed changes for mining and/or exploration. This amendment shall address both the drill holes and the new access road, including what you propose to do with both. A map showing the disturbances shall accompany the amendment.

Failure to comply with the conditions of this decision shall result in you being required to file a plan of operations and to obtain bonding for the operation.

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during appeal, unless a written request for a stay is granted.

PAUL W. KELLEY

Area Manager

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 297
Castle Dale, Utah 84513

Acting

RECEIVED

NOV 03 1993

DIVISION OF
OIL, GAS & MINING

Kiran Bhayani

Utah Department of Environmental Health

Division of Water Quality

P.O. Box 16690

Salt Lake City, Utah 84116-0690

Holland Shepherd

Division of Oil, Gas and Mining

355 West North Temple Street

3 Triad Center

Salt Lake City, Utah 84180-1203